

## THE OFFICE OF CONTRACTING AND PROCUREMENT

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### NOTICE OF EMERGENCY RULEMAKING

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The Chief Procurement Officer of the District of Columbia, pursuant to authority granted by section 204 of the District of Columbia Procurement Practices Act of 1985 ("PPA"), effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-302.04 (2001)), and Mayor's Order 2002-207 (dated December 18, 2002), hereby gives notice of the adoption of the following emergency rules to amend Chapter 20 of Title 27 of the District of Columbia Municipal Regulations (Contracts and Procurements). The rulemaking is intended to amend a section of Chapter 20 concerning special contracting methods which would allow the District to extend existing contracts for more than five (5) years on recurring and continuing services requirements.

The rules were approved as emergency and proposed rules on April 29, 2005, and published in a Notice of Emergency and Proposed Rulemaking in the *D. C. Register* on June 3, 2005, at 52 DCR 5313. No changes have been made to the rules as proposed.

Action was taken on August 22, 2005, to adopt the following rules on an emergency basis effective on that date. The current emergency rules will expire on August 27, 2005. Without these emergency rules, the Office of Contracting and Procurement will not be able to extend citywide contracts that are critical to the needs of District residents, including contracts for evidenced traffic violations enforcement, motor vehicle ticket processing, telecommunications, janitorial maintenance, trash and recyclable materials collections, and medical and mental health services for inmates at the Department of Corrections.

Adoption of these emergency rules to amend Chapter 20 is thus necessary for the immediate preservation of the public peace, health, safety or welfare, in accordance with District law as codified at D. C. Official Code § 2-505(c) (2001). These emergency rules will remain in effect for up to one hundred twenty (120) days from the date of adoption, unless earlier superseded by another rulemaking notice or by publication of a Notice of Final Rulemaking in the *D. C. Register*.

## CHAPTER 20

### SPECIAL CONTRACTING METHODS

*Section 2005.6 is amended to read as follows:*

#### **2005 USE OF OPTIONS**

2005.6 The basic period in a contract for services or supplies shall not exceed one (1) year, unless the contract is funded from an appropriation that is available for more than one (1) year. The total of the basic and option periods in a contract for services or supplies shall not exceed five (5) years except as follows:

- (a) a contract for citywide telecommunications systems may exceed five years but shall not exceed ten years;
- (b) a contract for evidenced traffic violations systems provided to the Metropolitan Police Department may exceed five years but shall not exceed seven years and two months;
- (c) a contract for ticket processing provided to the Department of Motor Vehicles may exceed five years but shall not exceed seven years;
- (d) a contract for medical and mental health services provided to the Department of Corrections may exceed five years but shall not exceed six years; and
- (e) a contract for any supplies or services may exceed five years where awards for recurring or continuing supply or service requirements may be delayed but shall not exceed five years and six months.